

TEMPORARY CONSTRUCTION SERVITUDE

STATE PROJECT NO. _____

PARCEL NO(S). _____

TEMPORARY CONSTRUCTION SERVITUDE

STATE OF LOUISIANA:

PARISH OF _____:

BE IT KNOWN, _____ (Insert S.S. No. or Federal I.D. No. after name), being hereinafter referred to as "Grantor", in consideration of the benefits, uses and advantages accruing to Grantor by reason of the location of the _____ (complete caption), and for and upon such other terms and conditions or considerations hereinafter expressed does hereby grant, transfer, assign, set over and deliver unto the Department of Transportation and Development of the State of Louisiana, herein represented by JAMES MELTON DOUSAY of said Department of Transportation and Development, authorized herein by Policy and Procedure Memorandum Number 44, dated August 24, 1977, as amended, issued by the Secretary of the Louisiana Department of Transportation and Development, being hereinafter referred to as the "Department", accepting and acknowledging delivery and possession for the Department of Transportation and Development, all and singular a Temporary Construction Servitude on, over, and across the following described property, to-wit:

D E S C R I P T I O N

_____ (____) temporary servitude(s) on, over and across _____ (____) certain tract(s) or parcel(s) of land, together with all the improvements situated thereon, _____* _____, situated in Section(s) _____, Township _____, Range _____, _____** _____ Parish, Louisiana, identified as PARCEL NO(S). _____ as shown on Sheet No(s). _____ of the property map for STATE PROJECT NO. _____, _____ (Complete Caption) _____, LOUISIANA, prepared by _____ (Name and Title) dated _____ (Revision date also) _____, said map being attached hereto and made a part hereof, which property is more particularly described as follows:

*THIS BLANK WILL BE MUNICIPAL ADDRESS, LOT NUMBER, BLOCK NUMBER, OR OTHER KNOWN SUBDIVISION REFERENCES.

**THIS BLANK WILL REFER TO THE LAND DISTRICT (SUCH AS "GREENSBURG LAND DISTRICT") IF SUCH REFERENCE IS GIVEN ON THE RIGHT OF WAY MAP, AS WELL AS THE PARISH IN WHICH THE PROPERTY IS LOCATED.

DESCRIPTION PAGE FOR TEMPORARY CONSTRUCTION SERVITUDE

The description of the property should be adequate and in accordance with the plans. It should also include a paragraph describing the recordation data of the acquisition documents through which the property was acquired by the Grantor.

CONSIDERATION PAGE FOR TEMPORARY CONSTRUCTION SERVITUDE

The Department is hereby authorized, in the construction and maintenance of said project, to remove from the property herein described earth and other material in accordance with usual construction and maintenance policies.

The Department shall pay unto Grantor for the temporary construction servitude(s) hereby conveyed, upon approval by the Department of Grantor's title to the hereinabove property, free and clear of all encumbrances of any kind or nature whatsoever, and in full settlement and satisfaction of any and all claims for damages resulting from the grant of said temporary construction servitude(s), the price and sum of _____ (\$____) DOLLARS.

Grantor acknowledges and agrees that the consideration provided herein constitutes full and final settlement for the temporary construction servitude(s) herein granted and for any and all diminution in the value of Grantor's remaining property as a result of the granting of this temporary right of way for transportation purposes.

It is agreed and understood that prior to completion of the said project, the property upon which the hereinabove described temporary construction servitude(s) ____ (is or are) ____ located shall be left free of all construction scars.

The temporary construction servitude(s) hereby granted shall be for a term of _____ (____) years at _____ (\$____) DOLLARS per year and shall commence upon the date a work order is issued to the contractor, for construction of the respective construction project for which the servitude(s) ____ (is or are) ____ required.

Should the above recited term not be sufficient to complete construction activities, the Grantor grants to the Department the option to extend the servitude(s) for an additional _____ (____) year(s) at the same terms, conditions and rental as herein specified. This extension shall be automatic and without additional compensation unless Grantor notifies the Department.

It is further agreed and understood that the Department's rights to the said construction servitude(s) shall terminate upon the date of completion and final acceptance of the said project and the fee simple title to the said property shall remain vested in the Grantor.

ANY OPTIONAL CLAUSES FROM THE SALE FORM MAY BE ADDED TO A TEMPORARY CONSTRUCTION SERVITUDE, BUT THE WORD "VENDOR" SHOULD BE CHANGED TO "GRANTOR".

